IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

WP(C).No. 6512 of 2007(A)

PETITIONER:

G.RAVI, AGED 58 YEARS, S/O. GOPALAN,
AKSHAYA, KRISHNAPURAM P.O.,
KAYAMKULAM, ALAPPUZHA.

BY ADV. SRI.S.RAJEEV

RESPONDENTS:

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1. DIRECTOR GENERAL OF POLICE(LAW & ORDER),
POLICE HEADQUARTERS, THIRUVANANTHAPURAM.

2. CITY POLICE COMMISSIONER,
O/O. THE COMMISSIONER OF POLICE, ERNAKULAM.

3. SUB INSPECTOR OF POLICE,
PANANGAD POLICE STATION, (CRIME NO.551 OF 2006
OF PANANGAD POLICE STATION).

4. SUB INSPECTOR OF POLICE,
HILL PALACE POLICE STATION, (CRIME NO.664 OF 2006
OF HILL PALACE POLICE STATION.)

BY GOVERNMENT PLEADER SRI.GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: PHOTOCOPY OF THE MEDICAL CERTIFICATE ISSUED BY AMRITHA HOSPITAL.

EXT.P2: PHOTOCOPY OF THE FIR IN CRIME NO.551 OF 2006 OF PANANGAD POLICE STATION.

EXT.P3: PHOTOCOPY OF THE FIR IN CRIME NO.664 OF 2006 OF HILL PALACE POLICE STATION.

/TRUE COPY/

P.A TO JUDGE

R.BASANT, J

W.P.C.No. 6512 of 2007

Dated this the 12th day of April, 2007

ORDER

The petitioner complains of unjustified violence and crime committed against him on a date of strike called by the lorry owners' association. The understanding was that persons like the petitioner can take out the vehicle on the date of the strike. But unfortunately when the petitioner was driving his vehicle, two persons came on a motor bike and threw stones at the vehicle of the petitioner causing damage to the vehicle and injuries to the petitioner. A major injury - a fracture was suffered by the petitioner, it is alleged. Crime has been registered. Investigation is way ward. No serious attempt has been made to conduct a proper investigation. In these circumstances, the petitioner prays that investigation may be entrusted to more competent and serious hands. This in short is the prayer.

2. Notice was given to the learned Public Prosecutor. The Investigating Officer has filed a statement. I have perused the same. I have considered the submissions made by the learned counsel for the petitioner and the learned Public Prosecutor. I shall carefully avoid any detailed discussions on the acceptability of the allegations or even about the competence of the present Investigating Officer. Suffice it to say that it is an undisputed fact that the persons who had

called for the strike have not been even questioned by now. That must eloquently convey the seriousness, earnestness and competence of the investigation. I find merit in the submission of the learned counsel for the petitioner that such an investigation deserves to be entrusted with more competent hands.

3. In the result, this Writ Petition is, allowed. It is directed that the Crime Branch C.I.D, Ernakulam shall continue the investigation into the crime. Necessary orders in this regard shall be issued by the 1st respondent or the concerned official under him. The 1st respondent shall ensure that the needful is done within a period of 30 days from this date under intimation to the petitioner.

(R.BASANT, JUDGE)

rtr/-